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Senate Bill _____
By _____

House No. HB1674
By Lewis, Jr.

AN ACT to amend Tennessee Code Annotated, Title 56, relative to dental benefits.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. This act shall be known and may be cited as the "Dental Patient Protection Act of 1995".

SECTION 2. The general assembly declares it to be the policy of the state of Tennessee that dental patients have the freedom to select the dentists of their choice when dental, or dental-related, services are to be rendered under any policy of insurance, or other program authorized under title 56, which provides for reimbursement or payment to providers or patients.

SECTION 3. Whenever a policy of insurance, or other program authorized under title 56, provides for the reimbursement or payment, in whole or in part, for services performed by dentists in this state, such policy or program shall not discriminate in the rate of reimbursement or payment, whether the dentists selected by patients be contracting or participating dentists, or noncontracting or nonparticipating dentists, under the terms of the policy or such other program.

SECTION 4. Nothing in this act shall be construed to limit any insurer, health maintenance organization, preferred provider organization, dental service plan corporation, or other third payor from determining the scope of its benefits or services or any other terms of its group and/or individual insured, subscriber or enrollee contracts nor from negotiating contracts with dentist providers on reimbursement rates or any other lawful provisions, except that the contract providing coverage to an insured may not exclude the right of authorization of payment to any dentist provider at the same benefit rate as paid to a contracting or participating provider.

SECTION 5. Any descriptive or other promotional materials distributed in connection with any dental insurance policy, or any other program providing dental benefits, shall not state, imply or leave the impression that only contracting or participating dentists are entitled to reimbursement or payment under the provisions of the policy or program.

SECTION 6. This act shall not apply to any person eligible for dental benefits in the TennCare program.

SECTION 7. Tennessee Code Annotated, Title 56, is amended by adding sections 1 through 6 of this act as a new chapter thereto.

SECTION 8. This act shall take effect upon becoming law, the public welfare requiring it.